UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW HAMPSHIRE

NEW HAMPSHIRE BUREAU OF SECURITIES REGULATION, Plaintiff,))))
v. AMERICAN EXPRESS FINANCIAL ADVISORS INC.,)) Civil Action No. 1:05-cv-00090-JD)
Defendant.))

JOINT STIPULATION TO VOLUNTARILY REMAND

WHEREAS, Defendant American Express Financial Advisors Inc. filed a Notice of Removal;

WHEREAS, Plaintiff New Hampshire Bureau of Securities Regulation has opposed the Defendant's removal to federal court and has filed a motion to remand the action to the New Hampshire Secretary of State, which motion is currently pending before this Court;

WHEREAS, Plaintiff and Defendant have entered into a Settlement Agreement on July 12, 2005;

NOW, therefore, the parties, by and through their undersigned counsel, hereby stipulate and agree as follows:

 The above-referenced action is hereby remanded and returned to the New Hampshire Secretary of State where all claims will be dismissed forthwith with prejudice in accordance with the signed Settlement Agreement dated July 12, 2005. Respectfully submitted,

AMERICAN EXPRESS FINANCIAL ADVISORS, INC.

By its attorneys,

/s/ Mark P. Szpak

Harvey J. Wolkoff (admitted pro hac vice)
Mark P. Szpak, N.H. Bar # 2507
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NEW HAMPSHIRE BUREAU OF SECURITIES REGULATION

By its attorneys,

/s/ Daniel J. Mullen (by MPS)

Daniel J. Mullen #1830 Associate Attorney General Office of the Attorney General 33 Capitol Street Concord, NH 03301 603-271-1223

8-18-05

SO ORDERED:

Moseph A. Dicterico, Jr.

United States District Court Judge

Dated: August 16, 2005

CERTIFICATE OF SERVICE

August 16, 2005

I hereby certify that to the best of my knowledge, service was effected electronically pursuant to AP 2.8 on Daniel J. Mullen, Associate Attorney General, Office of the Attorney General, 33 Capitol Street, Concord, NH, 03301, dan.mullen@doj.nh.gov.

/s/ Mark P. Szpak
Mark P. Szpak

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